United Nations A/60/68

General Assembly

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Sixtieth session
Item 76 (b) of the preliminary list*
Oceans and the law of the sea: sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

Letter dated 29 March 2005 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

Emanating from the Libyan Arab Jamahiriya's commitment to protect the marine environment and to preserve its marine living resources, and in contributing to guarantee a rational and sustainable exploitation which seeks to protect fisheries from illegal, unorganized and undeclared fishing, and acting according to the Protocol concerning areas that enjoy special protection in the Mediterranean Sea as issued by the contracting parties of the Agreement to Protect the Mediterranean Sea from Pollution concluded in 1976, and in implementation of the Convention to Strengthen the Adherence of Fishing Vessels on the High Seas to the International Arrangement aimed at the preservation and management of marine living resources, which was agreed upon by the Food and Agriculture Organization of the United Nations in 1993, and in strengthening the Venice Ministerial Conference on sustainable development relating to fishing activities in the Mediterranean Sea in 2003 and the contents of the said declaration concerning the right of the Mediterranean Basin States to create protected marine fishing zones to preserve and supervise fisheries, and to contribute in assuring a better management of these resources and combating against illegal, unorganized and undeclared marine fishing activities, the Libyan Arab Jamahiriya hence has declared that the areas to the north of the Libyan territorial waters, which extend up to 62 nautical miles into the sea, starting from the territorial sea line, are a fishing area that falls under its jurisdiction and sovereignty in the Mediterranean Sea according to the provisions of the attached Declaration (see annex).

* A/60/50 and Corr.1.

05-29385 (E) 050405 060405

While I wish to inform your excellency of this decision, I kindly request that it be circulated as a document of the General Assembly under item 76 (b) of the preliminary list.

(*Signed*) Ahmed A. **Own**
Chargé d'affaires a.i.

Annex to the letter dated 29 March 2005 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

[Original: Arabic]

There is no democracy without
people's congresses

The Great Socialist People's Libyan Arab Jamahiriya
General People's Committee

General People's Committee Decision No. 37 of 1373 from the death of the Prophet (AD 2005) concerning the declaration of a Libyan fisheries protection zone in the Mediterranean Sea

The General People's Committee,

Having examined:

- The Penal Code;
- The Code of Criminal Procedure;
- Law No. 14 of AD 1989 concerning the organization of the exploitation of marine resources;
- Law No. 15 of the year 1371 from the death of the Prophet concerning the protection and improvement of the environment;
- Law No. 01 of the year 1369 from the death of the Prophet concerning people's congresses and people's committees and the related implementing regulation;
- The decisions of the General People's Committee at its second regular meeting of the year 1369 from the death of the Prophet;
- The decisions of the Secretariat of the General People's Committee at its sixth regular meeting of the year 1373 from the death of the Prophet,

Decides as follows:

Article 1

A Libyan fisheries protection zone in the Mediterranean Sea is hereby declared in accordance with the text of the annexed declaration.

Article 2

No fishing of any kind or by any means shall be permitted in the zone referred to in article 1 except by permit from the competent authorities. A decision shall be adopted by the Secretariat of the General People's Committee defining the competent authority and the terms of the permit and related controls. In the event of any violation thereof, the perpetrators shall be liable to the penalties provided for in the legislation in force.

Article 3

The present decision shall enter into force as from the date of its adoption and the competent authorities shall be responsible for its enforcement. It shall be published in the official gazette.

(*Signed*) [Illegible]
General People's Committee (Decisions)
Great Socialist People's Libyan Arab Jamahiriya

Adopted on 16 Muharram, corresponding to 24/02 of the year 1373 from the death of the Prophet (AD 2005).

(Department of Legal Affairs)

Declaration of a Libyan Fisheries Protection Zone in the Mediterranean Sea

The Great Socialist People's Libyan Arab Jamahiriya,

Considering its international obligations in the area of protection of the marine environment and preservation of the living resources of the Mediterranean Sea,

Desiring to help ensure reasonable and sustainable exploitation within the framework of rational management of those resources,

Seeking to protect marine fisheries against illegal, unregulated and unreported fishing,

Pursuant to the Protocol Concerning Mediterranean Specially Protected Areas, adopted by the parties to the Convention for the Protection of the Mediterranean Sea against Pollution concluded in February AD 1976, and in particular the following provision of article 1 of the Protocol: "The Contracting Parties to this Protocol ... shall take all appropriate measures with a view to protecting those marine areas which are important for the safeguard of the natural resources and natural sites of the Mediterranean Sea Area",

Pursuant also to the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted on 24 November AD 1993 by the Conference of the Food and Agriculture Organization of the United Nations (FAO) at the twenty-seventh session, by its resolution 15/93, and in particular the provisions of article 3 thereof concerning the responsibility of the flag State to "take such measures as may be necessary to ensure that fishing vessels entitled to fly its flag do not engage in any activity that undermines the effectiveness of international conservation and management measures",

Pursuant further to the Code of Conduct for Responsible Fishing, adopted on 31 October AD 1995 by the FAO Conference at its twenty-eighth session, by its resolution 4/95, which lays down the principles and standards to be applied for the conservation, management and development of all resources and provides the necessary framework for national and international efforts aimed at guaranteeing sustainable exploitation of living marine resources, in harmony with the environment, especially the provision of paragraph 7.1.1. of article 7, "Fisheries management", which reads: "... all those engaged in fisheries management should, through an appropriate policy, legal and institutional framework, adopt measures for the long-term conservation and sustainable use of fisheries resources. Conservation and management measures, whether at local, national, subregional or regional levels, should be based on the best scientific evidence available and be designed to ensure the long-term sustainability of fishery resources at levels which promote the objective of their optimum utilization and maintain their availability for present and future generations; short-term considerations should not compromise these objectives",

With a view to promoting the Declaration of the Ministerial Conference for the Sustainable Development of Fisheries in the Mediterranean, held in Venice on 25 and 26 November 2003, paragraph 10 of which states: "we consider that the creation of fisheries protection zones permits the improvement of conservation and

control of fisheries and thus contributes to better resource management and to our common commitment to combat IUU [illegal, unreported and unregulated] fishing",

Declares:

I. That the area of the Mediterranean Sea lying north of the boundaries of Libyan territorial waters and extending seaward for a distance of 62 nautical miles, measured from the territorial sea line, is a fisheries zone subject to Libyan sovereignty and jurisdiction in which fishing, be it domestic or foreign, of any kind, for any purpose and by any means is prohibited unless the competent Libyan authorities have issued a permit to the person or persons concerned to conduct fishing operations in such areas in accordance with the laws and regulations in force in the Great Jamahiriya.

II. The present Declaration shall enter into force as from the date of its issuance and shall be deposited with the United Nations. It shall be published in all the media both locally and internationally.

(*Signed*) [Illegible]
General People's Committee
Decisions
Great Socialist People's Libyan Arab Jamahiriya

Issued in Tripoli on 16 Muharram the year 1373 from the death of the Prophet (24 February 2005).

United Nations A/60/69

General Assembly

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Sixtieth session
Item 36 of the preliminary list*
Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Report of the Secretary-General

Summary

The present report is mandated by the General Assembly in its resolution 59/127 of 10 December 2004 and pertains to the transmittal of information from the administering Powers called for under Article 73 *e* of the Charter of the United Nations.

* A/60/50.

05-29379 (E) 150405

1. Under the terms of Article 73 *e* of the Charter of the United Nations, Members of the United Nations which have or assume responsibilities for the administration of Territories whose peoples have not yet attained a full measure of self-government undertake to transmit regularly to the Secretary-General information relating to economic, social and educational conditions in the Territories for which they are respectively responsible other than those Territories to which Chapters XII and XIII apply. In addition, the General Assembly, in several resolutions, the most recent of which was resolution 59/127, requested the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned.

2. The table annexed to the present report shows the dates on which information called for under Article 73 *e* of the Charter was transmitted to the Secretary-General for the years from 2002 to 2004.

3. The information transmitted under Article 73 *e* of the Charter follows in general the standard form approved by the General Assembly and includes information on geography, history and population and economic, social and educational conditions. In the case of Territories under the administration of New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America, the annual reports of the Territories also include information on constitutional matters. Additional information on political and constitutional developments on Tokelau is given by the representative of New Zealand during meetings of the Special Committee on the Situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Supplementary information is also made available by New Zealand, the United Kingdom and the United States concerning Territories under their administration.

4. In compliance with the provisions of paragraph 5 of General Assembly resolution 1970 (XVIII) of 16 December 1963 and other relevant resolutions of the Assembly, including in particular resolution 59/127, the Secretariat has continued to use the information transmitted in the preparation for the Special Committee of working papers on each Territory. The Special Committee has taken this information into account in formulating its decisions on these Territories, which are set forth in the relevant chapters of the Committee's report to the Assembly at its current session (see A/60/23). The report also contains an account of the action taken by the Special Committee in implementation of resolution 1970 (XVIII) (ibid., chap. VIII).

5. **Recommendation: The information received from the administering Powers on the Non-Self-Governing Territories will be used for the preparation of the working papers of the Secretariat and discussed by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples at its annual session.**

Annex

Dates of transmission of information under Article 73 *e* of the Charter of the United Nations and period covered[a]

	Information received in 2004		*Information received in 2005*	
	Date of transmission	*Period covered*	*Date of transmission*	*Period covered*
France				
New Caledonia[b]	15 January 2004	2003		
New Zealand				
Tokelau	15 January 2004	July 2003-January 2004	29 November 2004	
Spain				
Western Sahara[c]	—		—	
United Kingdom of Great Britain and Northern Ireland				
All British Non-Self-Governing Territories	12 January 2004	2003		
Anguilla	12 January 2004	2001-2003	13 January 2005	2004
Bermuda	12 January 2004	2000-2003	15 January 2005	
British Virgin Islands	19 December 2003	2002-2003	13 January 2005	2004
Cayman Islands	12 January 2004			
Falkland Islands (Malvinas)	12 January 2004	2003		
Gibraltar	12 January 2004	2003	13 January 2005	2004
Montserrat	12 January 2004	1999-2003	13 January 2005	2004
Pitcairn	19 December 2003	January-November 2003	13 January 2005	2002-2004
Saint Helena	January 2004	2001-October 2003		
Turks and Caicos Islands	—	—	13 January 2005	2004
United States of America				
American Samoa			—	
Guam			—	
United States Virgin Islands			—	

[a] For a preliminary list of Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV) of 14 December 1960) applies, see *Official Records of the General Assembly, Eighteenth Session, Annexes*, addendum to agenda item 23 (A/54/46/Rev.1), annex I.

[b] According to its resolution 41/41 A of 2 December 1986, the General Assembly "considers that, in the light of the provisions of Chapter XI of the Charter of the United Nations and General Assembly resolutions 1514 (XV) and 1541 (XV), New Caledonia is a Non-Self-Governing Territory within the meaning of the Charter".

[c] On 26 February 1976, the Permanent Representative of Spain to the United Nations informed the Secretary-General that "the Spanish Government, as of today, definitely terminates its presence in the Territory of the Sahara and deems it necessary to place the following on record: ... (a) Spain considers itself henceforth exempt from any responsibility of an international nature in connection with the administration of the said Territory, in view of the cessation of its participation in the temporary administration established for the Territory ..." (A/31/56-S/11997). For the printed text, see *Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976*.